

C-Spire Files Antitrust Lawsuit Against AT&T, Qualcomm, Motorola Over Lack of Interoperability, Roaming Issues

A small wireless carrier in the Southeast is taking AT&T, Qualcomm, and Motorola to federal court claiming that they conspired to keep smaller competitors out of the wireless market. Cellular South, otherwise known as C-Spire, and its affiliates, Corr Wireless Communications and Cellular South Licenses, have filed an antitrust lawsuit in a U.S. federal court in the Northern District of Mississippi. The lawsuit, which was launched in April, alleges that AT&T and its suppliers Qualcomm and Motorola worked together to push it and other small regional wireless operators out of business by manipulating the standards process that establishes specifications for mobile devices.

At the heart of their complaints are issues surrounding wireless spectrum. Some operators are spectrum-starved and can't grow without it. Others that participated in the Federal Communication Commission's last spectrum auction, meanwhile, say they have the spectrum and money to deploy next-generation wireless network technology, but their competitors are shutting them out.

This claim is the crux of Cellular South/C Spire's lawsuit. In its complaint, the company asserts that it has been unable to use 700MHz spectrum it bought in a 2008 FCC auction, because AT&T, through the 3GPP standards-setting process, created a separate "band class" for spectrum it bought during the same 700MHz auction, thus making it incompatible with spectrum that Cellular South planned to use.

As a result, Cellular South, which has roughly 900,000 customers, has been unable to obtain smartphones and other devices that will work on its spectrum for a new 4G LTE network it plans to build. Meanwhile, AT&T with 103 million customers, has deployed its LTE network in 39 markets so far.

Cellular South alleges that Qualcomm and Motorola helped AT&T push through its special spectrum "band plan" in the 3GPP standards working group. The company also said in its complaint that Qualcomm and Motorola representatives threatened the company when it decided to file a petition requiring interoperability between the various bands in 700MHZ with the FCC.